## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

CERTAIN UNDERWRITERS OF LLOYD'S, LONDON SUBCRIBING TO POLICY NUMBER B080111789A08, a Foreign insurer,

Plaintiff,

v.

OLD REPUBLIC INSURANCE COMPANY, AND PHOENIX AVIATION MANAGERS, INC.,

Defendants.

## FINAL JUDGMENT AND DISMISSAL

Having granted by Memorandum Opinion and Order Defendants' Motion to Dismiss for Failure to State a Claim Upon Which Relief Can Be Granted (Doc. 76),

## IT IS ORDERED that

- 1. Plaintiff's declaratory judgment action is dismissed with prejudice;
- 2. Defendants' malicious abuse of process counterclaim is dismissed without prejudice; and
- 3. this Final Order of Dismissal terminates this lawsuit.

UNITED STATES DISTRICT HIDGE

No. 13-CV-701 KG/KK